

Remarks

This is in response to the Office Action mailed on August 4, 2003. Claims 1, 4, and 14 have been editorially amended. No new matter has been added. Claims 1-18 remain pending. Reconsideration and allowance are respectfully requested in view of the following remarks.

I. Information Disclosure Statements

Applicants wish to thank the Examiner for returning the initialed Form 1449 for the Information Disclosure Statement filed on January 14, 2002. Consideration of the art cited by the Information Disclosure Statement filed on September 30, 2003, and return of the attached Form 1449 marked as being considered, is respectfully requested with the next communication.

II. Claim Rejections - 35 U.S.C. § 112

In section 1 of the Office Action, claims 4 and 14-18 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the rejection notes informalities in claims 4 and 14.

Claims 4 and 14 have been amended to address the noted informalities. Reconsideration and allowance are respectfully requested.

III. Double Patenting Rejections

In sections 2 and 3 of the Office Action, claims 1, 3, 6-9, and 14-16 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3, 8-11, and 12-14 of copending U.S. Patent Application Serial No. 09/944,712 in view of Whiting et al., U.S. Patent No. 5,778,395. This rejection is respectfully traversed, and the correctness of the rejection is not conceded.

Because this is a "provisional" rejection that will not be finalized until either the present application or the '712 application issues as a patent (see MPEP 804(I)(B)), Applicants reserve comment on the rejection until such time.

IV. Claim Rejections - 35 U.S.C. § 103

In section 5 of the Office Action, claims 1-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hazelhurst et al., U.S. Patent No. 5,974,412, in view of Whiting. This rejection is respectfully traversed.

Claim 1 is directed to a data management system including, among other limitations, a file organizing/categorizing processor for organizing received data files into data slices, each data slice including an identification number and a descriptor that describes characteristics of the received data files. Claim 1 also recites a file logging processor, coupled to the file organizing/categorizing processor, for logging the received data files into a first database based on the data slices

The term "data slice" is defined in the specification of the present application as follows.

Data slice is a term of art that is used to describe and categorize a unique set of data where every data file in that set of data has common characteristics, such as, but not limited to, owner/creator, location, backup date, data type, or etc. These characteristics are generally considered to be important in describing and labeling the data files. In other words, a data slice is a label assigned to a set or collection of data, and a data slice generally includes a data descriptor or characteristics, such as company, user, date, location, etc.

Application, page 10, lines 11-17. For example and without limitation, a data slice can include a set of data files created by an individual on a given day. See, for example, Figure 8 of the present application. The data slice can include an identification number and a descriptor that characterizes the data files in the data slice, such as user name, location date, and position, as shown in the example in Figure 8. The data slices can be logged into a database. Application, page 10, line 19 - page 11, line 7.

Organization of the received data files into data slices can be advantageous for several reasons. For example, the data slices can be efficiently processed, organized, and later retrieved. Application, page 7, line 12 - page 8, line 3.

Hazelhurst discloses an intelligent query system for automatically indexing information in a database. The rejection apparently equates the "clusters" including "centroid vectors" and "text descriptions" disclosed by Hazelhurst with data slices including an identification number and a descriptor as recited by claim 1. This interpretation of Hazelhurst is respectfully traversed.

Hazelhurst discloses that a collator centroid space includes centroid vectors that are created by analyzing document vectors. Hazelhurst, column 11, lines 33-41. One process that is used to identify the centroid vectors is a method where important topics are selected and cast in terms of text descriptions. Hazelhurst, column 11, lines 52-56. However, Hazelhurst fails to describe what comprises the important topics and text descriptions or how they are created or used.

Hazelhurst therefore fails to disclose a data slice including an identification number and a descriptor that describes characteristics of the received data files (e.g., owner/creator, location, backup date, data type, or etc.). In Hazelhurst, there is no suggestion that the clusters are data slices and that the text descriptions are descriptors as recited by claim 1.

Whiting fails to remedy the above-noted deficiencies in Hazelhurst.

For at least these reasons, reconsideration and allowance of claim 1, as well as claims 2-13 that depend therefrom, are respectfully requested.

Claim 14 recites a data management method. Although claim 14 is not identical in scope to claim 1, claim 14 includes limitations similar to those noted above with respect to claim 1. Therefore, claim 14, as well as claims 15-18 that depend therefrom, should be allowable for at least similar reasons as those provided above with respect to claim 1.

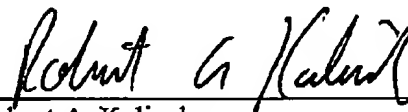
V. Conclusion

Favorable reconsideration in the form of a Notice of Allowance is respectfully requested. Please contact the undersigned attorney with any questions regarding this application.

Respectfully submitted,

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Date: Jan. 5, 2004


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